

A: PERSONAL DATA MANAGEMENT POLICY AND AUDIT LOG

Adopted by the Parish Council on: 11th July 2018

Review Date: July 2019

Data Management

The GDPR places a much greater emphasis on transparency, openness and fairness than previous legislation required. The Parish Council as Data Controller will ensure the Principles of Data Protection legislation will be followed in the management of personal data and that employees and councillors understand the requirements of the new legislation.

The Clerk (as Data Processor) will follow the underlying principles that personal data:

- (a) Must be processed lawfully, fairly and transparently.
- (b) Is only used for a *specific processing purpose* that the data subject (individual) has been made aware of and no other, without further consent.
- (c) Should be *adequate, relevant and limited* i.e. only the minimum amount of data should be kept for specific processing.
- (d) Must be *accurate* and where necessary *kept up to date*.
- (e) Should *not be stored for longer than is necessary*, and that storage is safe and secure.
- (f) Should be processed in a manner that ensures *appropriate security and protection*.

The Clerk will manage 'subject access requests' (SAR) allowing data subjects (individuals) to exercise their rights under the GDPR:

The right to access personal data that the Parish Council holds (on the data subject)

The right to correct and update the personal data the Parish Council holds on the data subject

The right to have your/any personal data erased

The right to object to processing of your personal data or to restrict it to certain purposes only

The right to data portability

The right to withdraw your consent to the processing (at any time) for any processing of data to which your consent was obtained

The right to lodge a complaint with the Information Commissioner's Office.

The Parish Council, as Data Controller, has adopted a Privacy Policy and Subject Access Request Policy. These, together with the Privacy Notice, are available to view on the Council website or via the Parish Clerk.

The Clerk, as *Data Compliance Officer* will

- Ensure that data is held securely, is password protected, is obtained on a need to know basis and back-up systems are in place
- Maintain a processing log of data
- Ensure that data is held no longer than is necessary and follows guidelines for its deletion
- Ensure that Consent Forms are obtained where necessary, recorded, reviewed as necessary, and are stored appropriately
- Undertake data protection impact assessments where required for new projects as directed by the Council as Data Controller and advice of the DPO.
- Ensure the notification of personal data breaches in consultation with the DPO and the Council's Security Incident Response Policy
- In consultation with the DPO, report to Council on progress in compliance with GDPR; to include any required monitoring identified

The current Audit Log of Data held which may be updated from time to time is appended.

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Appendix

Data Audit

SUBJECT	Nature/purpose of processing	Type of data/where is it from	Who is the data subject?	Lawful basis/bases for processing	Data Controls
Planning Applications	Consultations and decisions published by the Planning Authority, and shared with Parish Council. Clerk emails details of each application and decision to parish councillors. Also published with agenda and minutes, and discussed in open forum. Parish council comments on application provided by Planning Authority	Name and contact information; Principal authority; residents/public	Planning applicant/resident; Other members of the public speaking in open public session at council meetings	Legitimate interest Legal obligation Public interest	<ul style="list-style-type: none"> Clerk to check all information before sharing with parish councillors, and ensure sensitive personal data is redacted wherever possible before sharing or publishing. Information in agenda and minutes to include only what is necessary to identify and discuss the application or decision. Any correspondence between PC and applicant to be in accordance with data protection principles, and to be deleted within two years.
Electoral roll	Provided to Clerk at election time for election purposes only	Provided by Principal Authority contains names, address, marital status; principal authority	Parish residents	Legal obligation	Clerk to retain in a secure place, not to be shared; members of the public to be directed to Principal Authority for any electoral roll queries.
Parish Newsletter/Resident Surveys	Inform residents and gain views of residents	Resident Names and Contact details- from residents	Residents	Consent	Clerk to retain in a secure place and obtain consent form. Not to be used for other purpose unless consent is given.
Website	Information relating to the	Residents	Members of public	Consent	Photographs of individuals are not be

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	Parish is published on the website	names and photographs			published on the website without the express permission of the individual and deleted after a maximum of two years. No copy of the photograph shall be retained by the PC
Councillor details	Clerk retains contact details/gathered for election purposes/published in accordance with Transparency Code and Code of Conduct	Name, address, contact details, and disclosable pecuniary interests	Parish Councillors	Legal obligation	Details published on website in accordance with statutory requirements. Data held by Clerk, on the PC laptop, and deleted when a councillor retires from office. Requests for this data from third parties shall be via reference to the website.
Correspondence from members of the public/residents/other parties relating to parish matters which may contain personal data.	May relate to Council Services, Council performance, request for service, reporting issues or making complaints	Name, address, contact details, with possible sensitive personal data, depending on the nature of the matter; provided by residents	Members of the Public/Residents	Public interest	<ul style="list-style-type: none"> Any email letter of other form of query received by the PC which contains personal data will be retained for a maximum of two years Such data may be stored on the PC laptop, held by the Clerk in a secure place. The agreed privacy notice shall be provided to any person who contacts the PC. In accordance with the agreed privacy notice, such data shall not be shared with any third party without the express permission of the data subject.
Minutes containing Council Public Forum	Matters raised by members of the public at Council meetings; Minutes include a record of discussion as required by Local Government	Names and possibly other information	Residents/members of the public	Legal obligation Public interest Consent	<ul style="list-style-type: none"> Clerks should try to avoid inclusion of personal data in agenda or minutes. Where personal data or potential identifiers cannot be avoided, these should be kept to a minimum. Members of the public who attend the

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	legislation				public forum or the annual meeting should be informed by the Chair that the issue may be included in public minutes, and should give their consent to this before the discussion (consent to be implied following as Chair gives members of the public the chance to withdraw from the meeting if they so wish).
Contact with public in response to requests made at PC meetings	Letter/email to residents asking them to perform actions (eg trim trees or hedges)	Names, addresses and possibly other personal data provided by Cllrs/residents	Residents/members of the public	Legitimate Interests Contractual necessity Consent	<ul style="list-style-type: none"> • Copy to be retained on PC laptop, held by Clerk in a secure place, for a maximum of two years. • Information shall not be shared with any third party without express permission of the data subject.
Council Contracts and Services	Correspondence with contractors/public to carrying out contracting work and services required by the Council;	Names, contact details, qualifications, financial details, details of certificates and diplomas, education and skills; provided in contract applications etc	Contractors/Trades persons surveyors, architects, builders, suppliers, advisers, payroll processors;	Contractual necessity	<p>Copy to be retained on PC laptop, held by Clerk in a secure place, for life of contract.</p> <p>(All financial records will be kept for eight years in line with HM Revenue and Customs guidelines).</p>
Employment Applications	Application forms and CVs for Job Vacancies	Applicants provide personal details which may be sensitive	Applicants	Contractual necessity	Clerk to keep paper applications secure and collect any copies from councillors provided for interview; Held for 6 months and then destroyed.

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Employee and former employee records	Contracts of employment, CVs, provided on recruitment and held on file	Personal data provided by employees	Employees and Former employees	Contractual necessity	Held secure by the Clerk with restricted access and shredded/deleted 6 years after employment ends; may contain sensitive personal data
Consider any other Subject where personal data may be held	Personal data which comes under the control of the PC which does not fit into any of the categories above	Names, addresses and possible other personal data.			<ul style="list-style-type: none"> • Clerk to process the data in accordance with the data protection principles, always ensuring that personal data is stored securely and not shared with any third party without the express permission of the data subject. • Clerk may need to bring report to Council to determine the way in which the data should be controlled, taking advice from the DPO and if necessary provide a Personal Data Impact Assessment

Completed by: A Roberts Date: 04 July 2018
Clerk to the Parish Council
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